

FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS & ST. JOHN

ROBERT E. GLENN, as Trustee)
of the T.A. CARTER, Jr. and)
JEANETTE W. CARTER REVOCABLE)
TRUST,)

Plaintiff,)

v.)

OSWAINIO DUNLOP,)

Defendant.)

Civil No. 2005-145

ATTORNEYS:

Gregory H. Hodges, Esq.
St. Thomas, U.S.V.I.
For the Plaintiff.

Oswainio Dunlop,
Pro Se.

ORDER

GÓMEZ, C.J.

Before the Court is the motion of the plaintiff, Robert E. Glenn, as Trustee of the T.A. Carter, Jr. and Jeanette W. Carter Revocable Trust ("Glenn"), for clarification of this Court's ruling denying his motion for summary judgment against the *pro se* defendant, Oswainio Dunlop ("Dunlop").

This matter essentially arises out of a dispute over land located on St. John, U.S. Virgin Islands. Glenn brought this action against Dunlop in September, 2005, asserting the following claims: (1) slander of title, (2) libel and slander, (3)

injunction, (4) civil extortion, (5) abuse of process, (6) intentional harm to property interest, and (7) declaratory judgment. Dunlop subsequently filed an answer and a counterclaim against Glenn.

Glenn thereafter moved for partial summary judgment with respect to some of his claims. Reasoning that "there are genuine questions of material fact that cannot be decided at the summary judgment stage of these proceedings," the Court denied that motion. *See Glenn v. Dunlop*, Civ. No. 2005-145, 2008 U.S. Dist. LEXIS 35785, at *1 (D.V.I. Apr. 30, 2008).

Glenn now moves for clarification of the Court's ruling. In support of his motion, Glenn raises several arguments. First, Glenn asserts that the reasons for the Court's ruling are "ambiguous and vague." Second, Glenn asserts that because of the ruling's purported lack of clarity, "he will necessarily have to conduct discovery on all potential issues." Third, Glenn contends that such discovery presents difficulties because of what Glenn characterizes as a short discovery period scheduled by the Court and because Dunlop is proceeding *pro se*. Finally, Glenn claims that clarification would enhance efficiency by "narrowing the questions that remain for trial."

The Court issued a pretrial schedule in this matter on May 5, 2008, ordering discovery to be completed by July 11, 2008 and dispositive motions to be filed by August 8, 2008. The Court

also ordered the trial of this matter to begin on September 22, 2008. Significantly, that schedule is consistent with pretrial schedules issued in other cases in this district as well as in other districts in this circuit.

Having considered Glenn's arguments and the record, the Court finds that its ruling is clear and warrants no further explanation. *See, e.g., Nicholas v. Wyndham Int'l, Inc.*, Civ. No. 2001-147, 2005 U.S. Dist. LEXIS 12141 (D.V.I. June 14, 2005). The premises considered, it is hereby

ORDERED that the motion for clarification is **DENIED**.

S_____
CURTIS V. GÓMEZ
Chief Judge

copy: Gregory H. Hodges, Esq.
Oswainio Dunlop, *Pro Se*